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**ENFIELD PLANNING AND ZONING COMMISSION**

**REGULAR MEETING MINUTES**

**THURSDAY, APRIL 17, 2014 - 7:00 P.M.**

**ENFIELD TOWN HALL - COUNCIL CHAMBERS**

**820 ENFIELD STREET - ENFIELD, CT**

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**AGENDA**

THE MEETING WILL ADJOURN AT 11:00 P.M.

**REGULAR MEETING**

1. Call to Order & Pledge of Allegiance [00:00]

**Chairman Duren called the meeting to order.**

**The Pledge of Allegiance was recited.**

2. Fire Evacuation Announcement [00:33]

**Chairman Duren read the Fire Evacuation Notice.**

**Commissioner Falk took the roll.**

**Present:** Chairman Charles Duren and Commissioners Elizabeth Ballard, Peter Falk.

**Also Present:** Ronald Gregory, Sr. and Rachel Blatt, Assistant Town Planner.

**Absent:** Commissioners Kathleen Sarno, Lori Longhi, Nicles Lefakis, Charles Ladd, Jr., Alan Drinan, and Dominic Alaimo.

Chairman Duren stated that Commissioner Ronald Gregory, Sr. would be sitting in for the absent Commissioners.

3. Approval of Minutes [01:27]

**Commissioner Falk made a motion, seconded by Commissioner Gregory, to table the February 20, 2014, March 6, 2014, an April 3, 2014 meeting minutes until the next meeting because they were unavailable.**

**The motion was passed unanimously with a 4-0-0 vote.**

- a. February 20, 2014 regular meeting

**The Commission tabled discussion on these Minutes until they are received.**

b. March 6, 2014 regular meeting

**The Commission tabled discussion on these Minutes until they are received.**

c. April 3, 2014 regular meeting

**The Commission tabled discussion on these Minutes until they are received.**

4. Staff Reports [02:39]

a. Assistant Town Planner

Chairman Duren asked the Commissioners if they had any questions for Assistant Town Planner Rachel Blatt. There were no questions.

Ms. Blatt mentioned the walkability and bikeability of healthy communities' workshop that was held with Mark Fenton.

5. Public Participation [08:20]

Chairman Duren opened the floor for public participation and asked if anyone from the audience wanted to come forward to address the Commission.

**Ms. Maureen Mullen of 1625 King Street came forward to address the Commission.**

Ms. Mullen gave the Commission an update on a discussion she had held with Dr. Douglas and Chief Operating Officer, Sandra Cruz-Serrano, of the CREC School about their plans after receiving the Cease and Desist order, including her drainage and berm concerns. She was told CREC's main concern is to complete the site work in time for occupancy in August 2014. The CREC officials told her there had been correspondence from them to Town officials but after asking Town officials, Ms. Mullen was told no one had seen a letter from them. Ms. Mullen called CREC reps to let them know this.

On Tuesday, April 15, Ms. Mullen saw a Legal Notice from CREC in the Journal Inquirer. She said this shows they're still pushing forward, so she was hoping the Commission could give her some answers to her concerns.

Chairman Duren told Ms. Mullen that the Planning and Zoning Commission isn't told anything because CREC might have to come back to them for a vote and the Commission is supposed to remain unbiased, so they don't know what's going on.

Ms. Blatt told Ms. Mullen that at this point it's with the lawyers. Chairman Duren told Ms. Mullen there wasn't a timetable except probably with the attorneys at this point.

No one else came forward to address the Commission.

6. Correspondence [18:03]

Chairman Duren referenced the following correspondence:

- CRCOG Announcements.
- Windsor regulation of the raising of livestock.

- Information that Ms. Blatt put together from the Mark Fenton meeting that was attended by Town Staff and Commissioners.

7. Commissioner's Correspondence [22:46] – none

8. Bond Releases [22:50] – none

9. New Public Hearings [23:00] – none

10. Old Business [23:02] – none

11. New Business [23:03]

- SPR #1616 – Site Plan Modification to replace façade of an existing building located at an un-numbered address on Elm St in a Business Local (BL) District and the Hazardville Design Overlay District, Map 83 - Lot 138; Rockville Bank, applicant/owner.

*M.A.D. = June 6, 2014*

**Mr. Leonard Jacobs of 146 Main Street, Manchester, CT, attorney representing Rockville Bank, and Mr. Ron Riley, architect for Rockville Bank, approached the Commission.**

Mr. Jacobs said this application is for the Rockville Bank branch located at North Street, Elm Street, and Hazard Avenue. He said no changes will be made to the size of the building, the parking, or the grounds; he said they're just dealing with improvements to the building, so they need site plan approval for these changes and have submitted an elevation showing the four sides of the building.

Mr. Riley spoke and said the proposed changes will be mostly cosmetic, updating the building. He said the building will stay intact and all window locations will stay the same except for the window at the entryway, which will swap its location with the entry door in order to comply with the Americans with Disabilities Act. He said the exterior will change to follow similar Hazardville designs and they will add a canopy over the front door. Mr. Riley said they will replace the current oil furnace with a gas one. He said the current chain link fence around the mechanicals will be replaced with a more attractive white, vinyl fence.

Chairman Duren asked if the mechanical units are presently there. Mr. Riley replied they are all presently there and will just be replaced with brand new equipment. Mr. Riley also stated that there is a chimney on the roof they would like to remove if possible. Chairman Duren asked Ms. Blatt if that would be possible and then he said it would probably have to be sent to the Fire Marshal for approval.

Commissioner Falk mentioned the changes they're asking for are not on the plans. Chairman Duren suggested the changes be put in as Conditions.

**Commissioner Falk made a motion, seconded by Commissioner Gregory, to waive the full submission requirements of Section 9.10.2 because the Commission finds that the information is not necessary in order to decide on the application's conformance with the regulations.**

**The motion passed unanimously with a 4-0-0 vote.**

**Commissioner Falk made a motion, seconded by Commissioner Ballard, to approve site plan review of 1616, Site Plan Modification to replace the façade of an existing building located at 231 Hazard**

**Avenue in a Business Local (BL) District and the Hazardville Design Overlay District, Map 83 - Lot 138; Rockville Bank, applicant/owner including the Conditions of Approval from Ms. Blatt's letter dated March 28, 2014 and the following new Conditions:**

19. The current chimney will be removed from the roof.
20. Louvers will be added to both ends of the building.
21. Entry door and window will swap locations.
22. Oil furnace will be replaced by a gas furnace.
23. Chain link fence around the mechanicals will be replaced with a 42" high white, vinyl fence.

**The motion passed unanimously with a 4-0-0 vote.**

- b. SPR #1617 – Site Plan Review for a recurring outdoor special event at an existing building located at 39 Hazard Ave in a Business Regional (BR) District, Map 56 - Lot 2; Manuel Rubio, applicant; Leo BHW LTD, LLC, owner.

*M.A.D. = June 6, 2014*

**Manuel Rubio of Plaza Azteca approached the Commission.**

Mr. Rubio said his restaurant would like to hold outdoor Cinco de Mayo festivities, including a bounce house for the kids, music, and food and drinks. He said they plan to follow the town's zoning, fire, and health requirements.

Chairman Duren stated he saw a letter from the Health Department that the restaurant could not cook food outdoors. Mr. Rubio stated this wasn't a problem as they would bring the food outside after being cooked inside. Chairman Duren said there was a similar requirement for drinks and Mr. Rubio said this wouldn't be a problem either as they planned on serving canned sodas, canned beers and then margaritas would be brought outside in containers.

Mr. Rubio stated the bounce house is next to the building, away from the parking lot and everything else. He said they would pay for two police officers for each location, as well as a private security company for added security.

Chairman Duren asked about hours and Mr. Rubio replied the outdoor festivities would be concluded at 8:00 p.m. Commissioner Falk asked about condition 12 regarding time and stated the word "outdoor" should be added for "outdoor event hours."

Mr. Rubio showed pictures of the fence they use, as well as pictures of the bounce house. Mr. Rubio stated there would not be a dunk tank at this location.

Commissioner Falk asked about the portable bar located on the map and said the sidewalk wasn't supposed to be blocked. Mr. Rubio replied that it would not be on the sidewalk, only next to it, and that it was hard to see on the copy of the map they had made.

Commissioner Falk asked about the alcohol permit and Mr. Rubio stated they have a permit that is signed and they only need to pay the fee for it.

Commissioner Falk asked about the outdoor music and Chairman Duren said there were no neighbors. Mr. Rubio said it would not be loud enough to exceed the Town Noise Ordinance.

Mr. Rubio noted that even though the handicapped spots would be used during the event, they would create new handicapped spots elsewhere to replace them.

Chairman Duren raised the traffic flow issue of the front side. Mr. Rubio stated they could move the entrance to the side of the building if they needed to do for safety purposes.

**Commissioner Falk made a motion, seconded by Commissioner Gregory, to waive the full submission requirements of Section 9.10.2, because the Commission finds that information is not necessary in order to decide on the application's conformance with these regulations.**

**The motion was passed unanimously with a 4-0-0 vote.**

**Commissioner Falk made a motion, seconded by Commissioner Gregory, to approve 1617, Site Plan Review for the recurring outdoor special event at an existing building located at 39 Hazard Avenue in the Business Regional (BR) District, Map 56 - Lot 2, Manuel Rubio applicant and Leo BHW LTD, LLC, owner. This approval is contingent upon the 15 Conditions listed in Ms. Blatt's Memo dated April 11, 2014. The only change is to Condition 12, which would add the word "outdoor" to "event hours."**

**The motion was passed unanimously with a 4-0-0 vote.**

- c. SPR #1618 – Site Plan Review for a seasonal outdoor display of live potted plants at an existing building located at 75 Freshwater Blvd in a Business Regional (BR) District, Map 57 - Lot 346; Costco Wholesale #780, applicant; Centro GA Freshwater/Stateline LLC, owner.

*M.A.D. = June 6, 2014 (Postponed to PZC meeting of May 1, 2014)*

**Commissioner Falk made a motion, seconded by Commissioner Ballard, to table this item until the meeting of May 1.**

**The motion was passed unanimously with a 4-0-0 vote.**

- d. SPR #1619 – Site Plan Review to change the use of an existing building to a take-out restaurant, property located at 55 Enfield St in a Business Local (BL) District, Map 35 - Lot 207; Mary Pun, applicant; Elia Realty LLC, owner.

*Went to A.R.T. | M.A.D. = June 6, 2014*

**Mary and Jimmy Pun of 191 Southwick Road, Westfield, MA, approached the Commission.**

Ms. Pun told the Commission they want to change the building to be used for Chinese takeout. She said there would be no sit-down dining. She said the changes to the building would be to better its appearance.

Chairman Duren stated Water Pollution needed more details for the grease trap. Mr. Pun replied they had initially wanted to put in an internal grease trap but Mr. Parisi said no, they had to have a large, in-ground, concrete tank that was designed by a professional engineer.

Ms. Blatt told the applicants a plan had been done many years ago to reduce the number of turning movements, which would help with traffic flow. She gave copies to the applicants to use for their plans. She said it's not a requirement but an idea.

Chairman Duren asked how the Commission could give approval tonight with all of these requests from various Departments. He said he thinks the restaurant would be good for the area, is in an excellent location, and uses a building that needs to be used but they have these requirements. Commissioner Falk suggested they be added as Conditions.

Commissioner Falk stated that the Conditions should be incorporated into the drawings as opposed to stapled to it because they may have to make changes to the drawings and they don't want the approvals to be lost.

General Conditions to be added would include the hours of operation – from 11:00 a.m. – 10:00 p.m. 7 days a week; that Notices of Approval shall be submitted from WPC, Engineering, North Central District Health, and the Fire Marshal confirming all of their concerns have been met; and that Condition 4 would be changed to read "Approvals shall be incorporated into the drawings."

**Commissioner Falk made a motion, seconded by Commissioner Ballard, to waive the full submission requirements of Section 9.10.2 because the Commission finds that the information is not necessary in order to decide on the application's conformance with these regulations.**

**The motion was passed unanimously with a 4-0-0 vote.**

**Commissioner Falk made a motion, seconded by Commissioner Ballard, to approve Site Plan Review of 1619, to change the use of an existing building to a take-out restaurant, property located at 55 Enfield Street in a Business Local (BL) District, Map 35 - Lot 207; Mary Pun, applicant; Elia Realty LLC, owner, including Conditions of Approval contained in a letter from Ms. Blatt dated April 11, 2014.**

**General Conditions to be added are:**

1. Notices of Approval shall be submitted from WPC, Engineering, North Central District Health, and the Fire Marshal confirming all of their concerns have been met.
2. Hours of operation will be from 11:00 a.m. – 10:00 p.m., 7 days a week.
3. Condition 4 will now read "incorporate these Conditions into the drawings."

**The motion was passed unanimously with a 4-0-0 vote.**

12. Other Business [1:51:38] – none
13. Applications to Be Received [1:51:39]

### **Public Hearings**

PH #2790 – Special Permit to extend an existing concrete pad 10' x 12' at 100 Elm St, in a Business Regional (BR) District, Map 43 - Lot 15; Antea Group, applicant; Alliance Energy LLC, Owner.

**(Hearing Date –May 15)**

### **Site Plan Reviews**

SPR #1620 – Site Plan Review to replace a 3000 square foot warehouse structure with a 4000 square foot warehouse structure located at 1675 King St in an Industrial-1 (I-1) District, Map 13 - Lot 26; Paquette Builders, applicant; Gas Turbine Supply & Service, owner.

**(Hearing Date – May 1)**

SPR #1621 – Site Plan Review for a change of use from nail salon to frozen yogurt shop at an existing building located at 585 Enfield St in a Business Local (BL) District, Map 33 - Lot 274; Bakul Shah, applicant/owner.

**(Hearing Date –May 1)**

**Commissioner Falk made a motion, seconded by Commissioner Ballard, to allow administrative approval of modifications to parking lot layout at 6 Niblick Road subject to approval from the Fire Marshal and the Engineering Department.**

**The motion was passed unanimously with a 4-0-0 vote.**

14. Adjournment [2:30:34]

**Commissioner Ballard made a motion, seconded by Commissioner Falk, to adjourn.**

**The motion passed unanimously.**

**Next Regular Meeting: Thursday, May 1, 2014**

Special Planning Meeting Agenda Items (Next Date – May 8, 2014)

- a. Thompsonville Village Residential (TVR)
- b. Thompsonville Mixed Use District (TMD)
- c. Multi-modal Transit and River Access District (MTRA)
- d. Discussion of poultry regulations
- e. Regulation changes dealing with commercial vehicles (trucks)
- f. Medical Marijuana
- g. Buildings vs. Structures

Respectfully submitted,

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Peter Falk, Secretary  
Enfield Planning and Zoning Commission

/dd